## UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

٧.

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Probation or Supervised Release) (For Offenses Committed On or After November 1, 1987)

Date Violation

Michael Gardner Case Number: DNCW 197CR000239-001

USM Number: 14457-058

<u>Jack W. Stewart , Jr.</u> Defendant's Attorney

## THE DEFENDANT:

<u>X</u> admitted guilt to violation of condition(s) <u>1, 2, 3, 4, 5, 6, 7 and 8 as to amount of money received and amount in arrears, but would deny as to willful of the terms of supervision.</u>

X Was found in violation of condition(s) count(s) 1, 2, 3, 4, 5, 6, 7.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following violations(s):

Violation Number	Nature of Violation	Concluded
1	New Law Violation	12/11/2008
2	New Law Violation	12/11/2008
3	Failure to Report Contact With Law Enforcement Officer	3/30/2009
4	New Law Violation	12/31/2008
5	Failure to Report Contact With Law Enforcement Officer	3/30/2009
6	New Law Violation	1/31/2009
7	Failure to report Contact With Law Enforcement Officer	3/30/2009
8	Failure to Make Required Court Payments	3/30/2009

The Defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, <u>United States v. Booker</u>, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a). X The Defendant has not violated condition(s) <u>9</u> and is discharged as such to such violation(s) condition.

IT IS ORDERED that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 6/3/09

Lacy H. Thornburg United States District Judge

Signed: June 4, 2009

Any outstanding monetary penalties that do not pertain to restitution are remitted.

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## **IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of six (6) months.

The Court makes the following recommendations to the Bureau of Prisons: The Defendant is remanded to the custody of the United States Marshal. Χ The Defendant shall surrender to the United States Marshal for this District: As notified by the United States Marshal. At\_\_\_a.m. / p.m. on \_\_\_\_. The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: As notified by the United States Marshal. Before 2 p.m. on \_\_\_\_. As notified by the Probation Office. **RETURN** I have executed this Judgment as follows: Defendant delivered on \_\_\_\_\_ to \_\_\_ , with a certified copy of this Judgment. United States Marshal Ву:

Deputy Marshal